

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**CELESTE WILLIAMS, LAUREN CRUZ
EMANUEL O'NEALE, BRANDON
STURMAN, LAKEISHA MITCHELL,
CHRISTINE BORBELY, JULIE
BARIBALDI, and JANINE APONTE on
behalf of themselves and others similarly
situated,**

INDEX NO: 07cv3978 (LAP)

Plaintiff,

v.

**TWENTY ONES, INC. d/b/a THE 40/40
CLUB, SHAWN CARTER p/k/a JAY-Z,
JUAN PEREZ and DESIREE GONZALES**

Defendants.

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JOINT PROPOSED SCHEDULING PLAN

COME NOW the parties to the above-captioned action, and pursuant to and in accordance with FRCP § 26(f), the Parties submit this report of their July 12, 2007 meeting:

1. Parties will make initial disclosures pursuant to FRCP § 26(a)(1) by July 26, 2007.
2. There is a significant possibility that Parties will achieve a prompt settlement or resolution of the case within 4-6 months.

3. The discovery deadline shall be determined by the Court after a trial date is scheduled pursuant to a case management conference. Defendants propose that the Parties conduct discovery in phases, with discovery regarding class certification issues to be conducted first, leading up to Plaintiffs' motion for class certification or collective notice. After the Court's ruling on class certification, the parties will focus on merits discovery. Plaintiffs propose that both aspects of discovery be conducted together.
4. The Parties are negotiating the scope of pre class certification discovery and may require the Court's input at a later date.
5. Data stored exclusively electronically shall be produced in the form in which it is stored. Defendants have been advised to implement adequate data preservation protocols for electronically stored data.
6. When either party is notified that privileged material has been sent inadvertently during discovery, the privileged material shall be returned immediately and the receiving party shall not retain copies of the privileged material.

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